

REMARKS

In the Office Action dated March 15, 2010, Claims 1-5, 7-9, 11, 12, 14, 15, 17-21, and 23-25 were rejected. By this paper, Applicant has amended Claims 1, 24, and 25; canceled Claims 21 and 23; and added new Claims 26 and 27. The amendments to the claims are supported at least by pages 14 and 17 and Figures 1-4 of the originally filed specification. Applicant respectfully requests reconsideration of the application in view of the amendments set forth above and the remarks set forth below.

Discussion of the Objections to the Claims

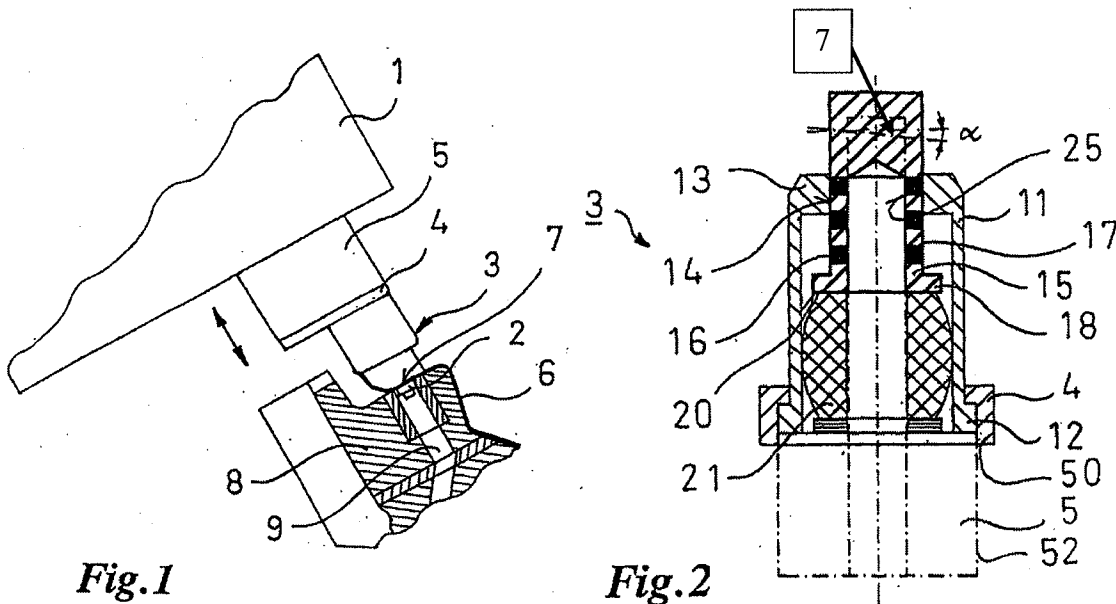
Claim 21 was objected to for certain informalities. Applicant has canceled Claim 21 rendering the objection moot.

Discussion of the Claim Amendments

Claim 1 has been amended to recite, among other things, "a stripping element which surrounds the cutting element, wherein the stripping element has a non-circular cross-section and a front surface which comes into contact with the workpiece, at least a portion of the front surface being beveled." Figure 1 of the present application, reproduced on the following page, illustrates a punch in which the "front surface 7 of the stripping device 3" contacts the workpiece. *Specification* at p. 14, lines 4-5. As shown, "the stripping device has a front surface which has a front surface shape which corresponds to the shape" of the workpiece. *Id.* at p. 14, lines 13-15. In one embodiment, "shaping of the front surface can be undertaken on-site at a particular user" or performed beforehand based on provided specification. *Id.* at p. 14, lines 16-18.

Figure 2 of the present application, also reproduced on the following page, shows a "longitudinal sectional view of a first embodiment of a stripping device 3." *Id.* at p. 14, lines 30-31. Added to the Figure in this response is a boxed number 7 referencing the front surface of the stripping element that would result after the "front surface of the stripping element 15 is beveled or shaped." *Id.* at p. 17, 17-19. In one embodiment, the "further shaping of the front surface of the stripping element 15 is preferably matched to the shaping of the workpiece." *Id.* at p. 17, lines 28-30.

A device having a stripping element with a front surface which is beveled or shaped in accordance with the shape of the workpiece provides a number of advantages. For example, in such cases it is “possible, by means of this matching, to avoid inadvertent marking caused by the stripping element on the surface of the punched workpiece. Such markings, in particular circular markings, regularly occur in the case of the devices of the prior art and lead to a reduced quality of the punched workpieces or to wastage.” *Id.* at p. 17, lines 31-37.

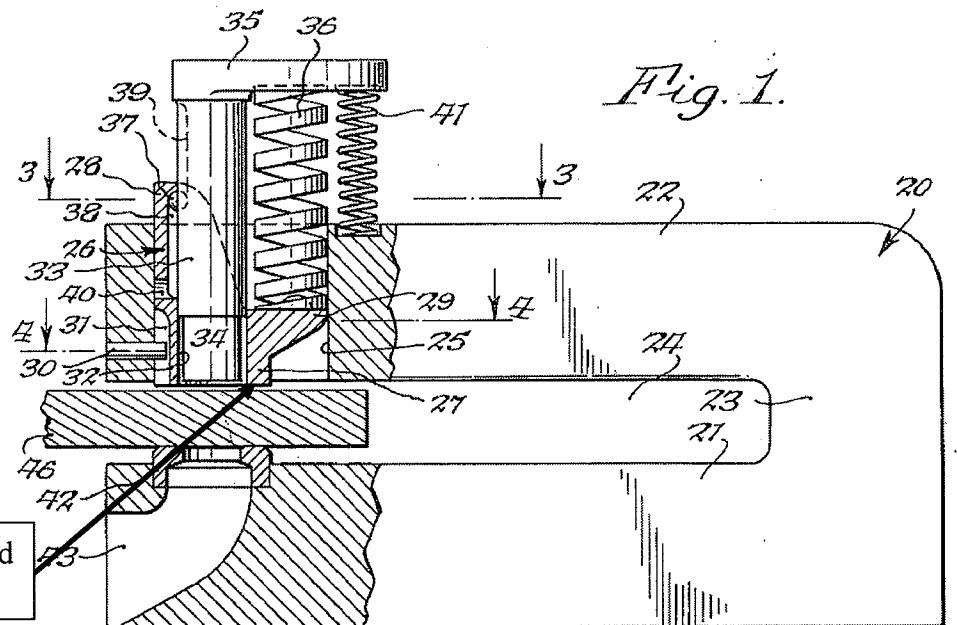
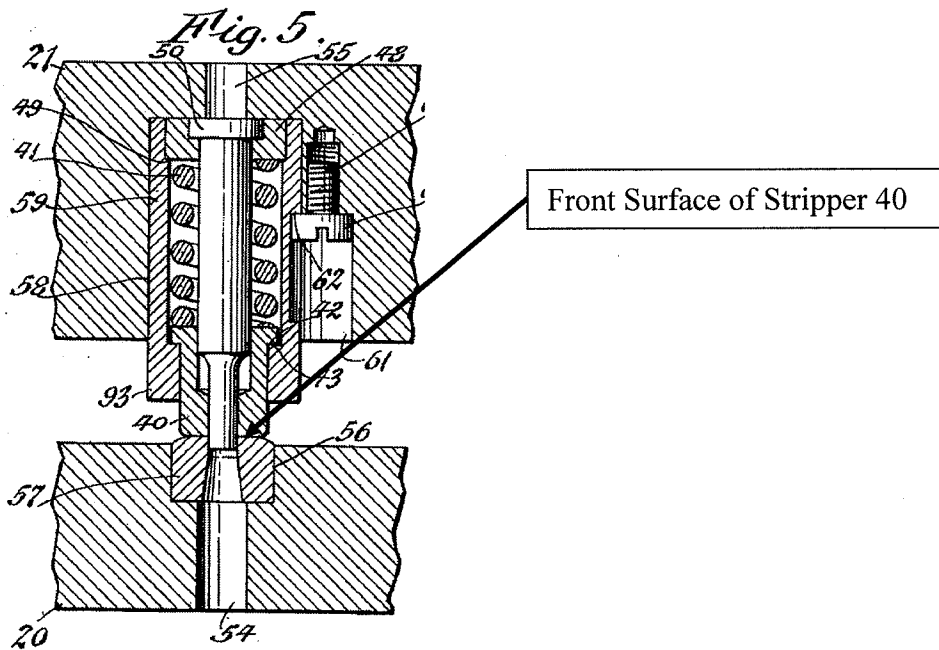


Discussion of Rejection under 35 U.S.C. § 103(a)

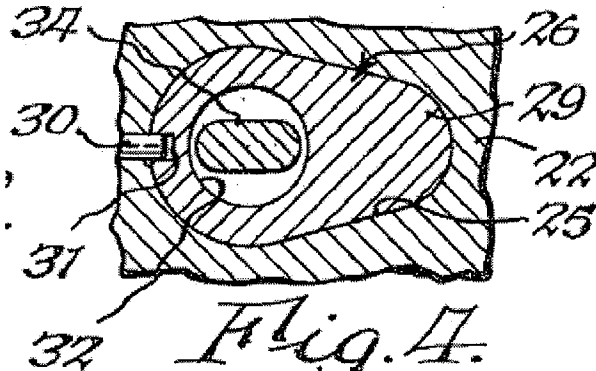
Claims 1-5, 7-9, 11, 12, 14, 15, 17-21, and 23-25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wales (U.S. Patent No. 2,168,377) in view of Taylor (U.S. Patent No. 2,760,574). Applicant further submits that, as stated in the M.P.E.P. at § 2143, “The rationale to support a conclusion that the claim would have been obvious is that all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination yielded nothing more than predictable results to one of ordinary skill in the art.” *KSR Int’l Co. v. Teleflex, Inc.*, 550 U.S. 398 (2007).

As noted above, Claim 1, as amended, recites, for example, “the stripping element has a non-circular cross-section and a front surface which comes into contact with the workpiece, at

least a portion of the front surface being beveled." Applicant respectfully submits that neither Wales nor Taylor discloses this feature. As shown in Figure 5 of Wales, reproduced below, the front surface of stripper 40 which contracts the sheet is flat and perpendicular to the axis along which the punch moves; it is not beveled. Similarly, as shown in Figure 1 of Taylor, the front surface of the lower end 27 of the stripping element 26 which contacts the work-piece 46 is flat and perpendicular to the axis along which the punch moves; it is also not beveled.



The Office Action cited Figure 4 of Taylor for the proposition of “a curved front surface” and “a front surface at a non-zero bevel angle.” *Office Action* at p. 8. Applicant respectfully submits that Figure 4 of Taylor, reproduced below, does not show a “front surface which comes in contact with the workpiece” as recited in Claim 1.



It is noted that it is arguable that the *punch*, in both Wales and Taylor, has a front surface which contacts the workpiece when the punch initially strikes the workpiece and a side surface which passes through the workpiece when the punch drives through the workpiece. However, in both Wales and Taylor, the *stripping element* only contacts the work piece along a single, flat surface which is perpendicular to the motion of the punch.

In view of the above, Applicant respectfully submits that a *prima facie* case of obviousness has not been established with respect to the pending claims and Applicant respectfully requests withdrawal of the rejection under 35 U.S.C. § 103(a).

Discussion of New Claims

Claims 26 and 27 depends on Claim 1, which is allowable for the reasons set forth above. In view of the patentability of its base claim, and in further view of its additional technical features, Applicant respectfully submits that Claims 26 and 27 are patentable over the prior art of record.

Application No.: 10/522,078
Filing Date: July 5, 2005

CONCLUSION

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims, and that those claims are in condition for allowance. Accordingly, early issuance of a Notice of Allowance is most earnestly solicited.

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

The undersigned has made a good faith effort to respond to all of the noted rejections and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if an issue requires clarification, the Examiner is respectfully requested to call Applicant's attorney in order to resolve any such issue promptly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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Dated: July 14, 2010

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